



02-13-02

SCPA
1648

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Chisari, et. al.
Serial No.: 08/854,825 Art Unit: 1648
Filing Date: May 12, 1997 Examiner: Parkin
Entitled: Hepatitis C Virus-Derived Peptides Capable of Inducing Cytotoxic T
Lymphocyte Responses
Docket No. 329368-101A

#22
Reg. EPA
Ext. (Gmas.)
3/6/02

Assistant Commissioner for Patents
Washington, DC 20231

TECH CENTER 1600/2900

FEB 19 2002

RECEIVED

CFR
Sent 3/8/02

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail (Express Mail Label No. EL 827 805 998 US) addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on February 11, 2002.

Kathryn Brophy

Kathryn Brophy

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

This is a request for a

- ☒ continuation application
☐ divisional application

under 37 CFR 1.53(d) (continued prosecution application (CPA)) of prior application). The particulars of the prior application are:

Application Serial No.: 08/854,825
Filed On: May 12, 1997
Entitled: Hepatitis C Virus-Derived Peptides Capable of Inducing Cytotoxic T
Lymphocyte Responses
Name of applicant(s) (as originally filed or last amended):

Francis V. Chisari
Andreas Cerny

The above application is either a non-provisional application that is either (1) complete as defined by 37 CFR 1.51(b) and filed on or after June 8, 1995 or (2) the national stage of an international application in compliance with 35 U.S.C. §371 and filed on or after June 8, 1995.

The above-identified application, in which no payment of issue fee, abandonment of, or termination or proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.62 application, be it in either this application or a prior application in the same file wrapper, the PTO may provide similar information or access to all the other applications in the same file wrapper.

This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above.

1. ☐ Please enter the previously unentered Amendment filed on _____ under 37 CFR 1.116 in the prior non-provisional application.
2. ☐ A Preliminary Amendment is enclosed.
3. ☐ This application is being filed with less than all the inventors named in the prior application. In accordance with 37 CFR 1.53(d), the Assistant Commissioner is requested to delete the names of the following persons who were named as inventors in the prior application but are not inventors of the invention being claimed in this application:
4. ☐ A new power of attorney is enclosed.
5. ☒ An information disclosure statement is enclosed:
☒ Form PTO/SB/08A and 08B (Formerly Form PTO-1449)
☒ Copies of IDS citations.
6. The correspondence address
☒ remains the same as in the prior Application
7. To maintain copendency of the prior Application:
A Notice of Appeal was filed with a receipt date of July 9, 2001. Accordingly:
 - (a) ☒ Applicant hereby petitions as a
☒ Large Entity
☐ Small Entity
for an Extension of Time in the prior application of
☐ one month
☐ two months

- ☐ three months
☐ four months
☒ five months.

- (b) should any further extension period not addressed in paragraph 9(a) above, be required to maintain copendency with the prior application, please consider a Petition for such additional extension period to have hereby been made.

8. Fee Payment Being Made at this Time

- ☐ no filing fee is submitted at this time
☒ attached is a check in the amount of \$1,960.00 to cover the fee for the extension of time. The Office is authorized to charge the Deposit Account No. 04-0480 solely with respect to any additional fee (or credit) required for the extension of time.

The Office is expressly not authorized to charge any fee under 37 CFR §1.16 to the Deposit Account.

Date: February 11, 2002

Respectfully submitted,



Arthur E. Jackson
Registration No. 34,354
Allen Bloom
Registration No. 29,135
Attorney for Applicant

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PTO/SB/17 (11-01)
Approved for use through 10/31/2002. OMB 9651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$1,960.00)

Complete if Known

Application Number 08/854,825
Filing Date May 12, 1997
First Named Inventor Chisari
Examiner Name Parkin
Group Art Unit 1648
Attorney Docket No. 329368-101A

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METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

04-0480

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$0.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims Fee from below Fee Paid
Total Claims -20** = 0 X 0.00 = 0.00
Independent Claims - 3** = 0 X 0.00 = 0.00
Multiple Dependent 0 = 0.00

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$0.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	1,960.00
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$1,960.00)

SUBMITTED BY

Name (Print/Type) Arthur E. Jackson

Registration No. 34,354
(Attorney/Agent)

Complete (if applicable)

Telephone 609.620.3254

Signature

Feb. 11, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.